

IN THE CIRCUIT COURT
OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA
CIVIL DIVISION
Case No. 2018-018704-CA-01
Section CA 13 (Hon. Javier A. Enriquez)

DEUTSCHE BANK NATIONAL TRUST COMPANY,

Plaintiff

v.

MARIO MIRABAL,

Defendants.

_____ /

DEFENDANT'S RULE 1.540(d) MOTION FOR RELIEF FROM VOID
ORDER OF DECEMBER 3, 2024, TO UPHOLD FINAL DISMISSAL

WITH PREJUDICE ENTERED MARCH 5, 2020, TO DECLARE
EXTINGUISHMENT OF DEUTSCHE BANK’S LIEN, AND TO ISSUE A
DECLARATION QUIETING TITLE IN FAVOR OF DEFENDANTS
MARIO MIRABAL AND ARIANA BIRENCWAJG

(Filed by Mario Mirabal, Defendant and Attorney-in-Fact for Ariana
Birencwajg)

I. INTRODUCTION

On March 5, 2020, the Hon. Zachary J. Bokor entered an Order of Dismissal with prejudice (“Bokor Order”) disposing of Plaintiff’s foreclosure action in its entirety (Ex. A).

That judgment became final, non-appealable, and has never been vacated or modified.

Nonetheless, on December 3, 2024, Deutsche Bank filed a motion requesting that the case be dismissed without prejudice, stating: “Plaintiff respectfully requests that this Honorable Court enter an Order dismissing the above-styled case without prejudice as the loan was paid in full” (Ex. B-1). This language misled the Court to conclude that Defendant Mirabal and Deutsche Bank had reached a settlement or payoff arrangement. Nothing could be further from the truth.

No such agreement ever existed between the parties. In reality, just weeks earlier—on November 13, 2024—Deutsche Bank had already conveyed the property to a related party, KP Investments, despite lacking legal standing. That transfer was not disclosed to the Court. The motion also asked the Clerk to “return original loan documents and substitute photostatic copies in the court file.” The Hon. Tanya Brinkley then signed an order granting the

request, purporting to dismiss the case without prejudice, cancel the lis pendens, and replace the original documents with copies (“Brinkley Order”) (Ex. B-2).

Because the Bokor Order remained operative, and the Brinkley Order was procured through fraud upon the court, the December 3, 2024 order is void ab initio and must be vacated under Fla. R. Civ. P. 1.540(d).

Defendant therefore supplements his pending Rule 1.540(b) motion with this request under Rule 1.540(d) to:

- (a) vacate the December 3, 2024 order as void;
- (b) uphold the March 5, 2020 dismissal with prejudice as the final and controlling judgment;
- (c) declare Deutsche Bank’s lien and any derivative interest extinguished; and
- (d) issue a declaration quieting title in favor of Defendant Mario Mirabal..

II. PROCEDURAL POSTURE AND FRAUD CHRONOLOGY

Date Event

- | | |
|--------------|---|
| Mar 5, 2020 | Bokor Order dismisses foreclosure with prejudice (Ex. A) |
| Nov 7, 2024 | Defendant files Rule 1.540(b) Motion challenging Plaintiff’s standing and asserting fraud upon the court; motion remains pending (Dkt. 229) |
| Nov 13, 2024 | Deutsche Bank executes Warranty Deed to KP Investments while Bokor dismissal still in effect (CFN 202408900446) (Ex. |

B)

Dec 3, 2024 Plaintiff files fraudulent Motion to Dismiss Without Prejudice; Judge Brinkley signs the order based on that misrepresentation (Ex. C-1 & C-2)

Dec 5 & 16, 2024 Defendant files motions alerting the Court to fraudulent conveyance and requesting DOJ investigation (Dkts. 240 & 242)

Dec 16, 2024 Defendant files Supplemental Notice enclosing bankruptcy court adversary filing detailing fraudulent mortgage assignment and FDIC bar to enforcement (Dkt. 242; Ex. E)

Mar 24, 2025 Defendant records Lis Pendens to safeguard title (CFN 34678-3821) (Ex. D)

Fraudulent Procurement:

Plaintiff's December 3, 2024 motion, and the order that followed, concealed the March 5, 2020 dismissal with prejudice entered by Judge Bokor (Ex. A) and the November 13, 2024 warranty deed to KP Investments (Ex. C). On that false premise, Judge Brinkley marked the final-disposition sheet "Dismissed Pursuant to Settlement — Before Hearing," even though no settlement existed and Plaintiff had already transferred title without standing.

Plaintiff's concealment included their failure to disclose that the mortgage assignment they relied on violated federal receivership restrictions and had been challenged in a pending bankruptcy adversary proceeding, which Deutsche Bank actively tried to dismiss

III. LEGAL STANDARD

Fla. R. Civ. P. 1.540(d) permits relief from a void judgment at any time.

An order issued after a case has already been dismissed with prejudice is void

for lack of jurisdiction.

See *Lancaster v. Petty*, 673 So. 2d 505 (Fla. 1st DCA 1996).

A dismissal with prejudice extinguishes any enforceable mortgage lien.

See *Citibank v. Dalessio*, 756 So. 2d 256 (Fla. 4th DCA 2000).

IV. ARGUMENT

A. The Brinkley Order Is Void.

The Court had no jurisdiction to enter an order inconsistent with the final Bokor judgment, and the order was procured through fraud and concealment of material facts.

Additionally, the December 3, 2024 Brinkley Order was issued despite Defendant's prior filing of a supplemental notice (Dkt. 242) on November 27, 2024, enclosing federal adversary pleadings that exposed the fraudulent mortgage assignment relied upon by Plaintiff. That assignment was executed in 2010 by the now-discredited Law Offices of David J. Stern and signed by Erica A. Johnson-Seck, acting as "Attorney in Fact" for IndyMac Bank, F.S.B. Ms. Johnson-Seck has been publicly identified as a robo-signer in multiple foreclosure fraud investigations, and her firm's mass document-fabrication practices led to state and federal enforcement actions, including disbarment proceedings. The assignment was fabricated nearly two years after IndyMac had collapsed and been placed into FDIC receivership.

Defendant's federal filings explained how the 2010 instrument violated FDIC regulations, rendered the transfer void under 12 U.S.C. § 1821(d)(11), and severed any enforceable chain of interest. Defendant had already requested federal review and intervention based on these assignment defects. The existence of this concealed federal conflict further supports that the Brinkley Order was jurisdictionally void and procured through fraud upon the court.

B. The Bokor Order Must upheld.

It remains the operative final judgment, never vacated or reversed, and fully disposes of Plaintiff's claim.

C. Deutsche Bank's Lien Is Extinguished.

A dismissal with prejudice precludes enforcement of any lien or related interest.

D. Title Should Be Quieted.

The recorded Lis Pendens and Bokor's final judgment require a judicial declaration that Defendant holds clear title.

(Footnote: Defendant's March 19, 2025 Motion to Preserve Original Documents (Dkt. 247) underscores Plaintiff's attempt to remove evidence and further illustrates the bad-faith litigation conduct.)

Accordingly, the Court should issue a judicial declaration quieting title in favor of Defendants Mario Mirabal and Ariana Birencwajg

V. RELIEF REQUESTED

Defendant respectfully requests the Court:

VACATE the December 3, 2024 order as void;

UPHOLD the March 5, 2020 dismissal with prejudice;

DECLARE Deutsche Bank's lien and any derivative interest extinguished;

QUIET TITLE in favor of Defendants Mario Mirabal and Ariana Birencwajg
through judicial declaration

Grant such other relief as the Court deems just and proper.

Respectfully submitted,

Mario Mirabal (pro se)

563 w 49 st

Miami Beach Fl, 33140

solphax@gmail.com

786.479.6596

June 15, 2025

Exhibits:

Ex. A – Bokor Order of Dismissal with Prejudice (March 5, 2020)

Ex. B – Brinkley Order of Dismissal Without Prejudice (December 3, 2024)

- B-1 – Plaintiff's Motion to Dismiss (December 3, 2024)

Ex. C – Warranty Deed to KP Investments (November 13, 2024; CFN
202408900446)

Ex. D – Recorded Lis Pendens (CFN 34678-3821)

Ex. E – IndyMac Dismissal (2011)

Ex. F – Deutsche Bank v. Mario Mirabal Dismissal (2017 case No. 2013-002778-CA-01)

VI. CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed and served via Florida Courts E-Filing Portal on all parties registered to receive service in this action on this 14th day of June, 2025.

Respectfully submitted,

Mario Mirabal (pro se)

Date: 15 June 2025

EXHIBIT A

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2018-018704-CA-01

SECTION: CA13

JUDGE: Alexander Bokor

Deutsche Bank National Trust Company

Plaintiff(s)

vs.

Ariana Birencwajg et al

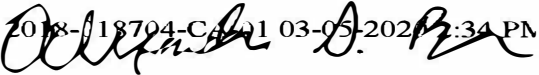
Defendant(s)

ORDER OF DISMISSAL BASED ON SETTLEMENT

THIS COURT has been advised that the matter has been settled as to all parties and therefore, it is hereby:

ORDERED AND ADJUDGED that this case is dismissed with prejudice. The Court reserves jurisdiction to enforce the settlement and to enter orders necessary to this enforcement, or to set aside this Order of Dismissal if the matter has not been resolved. The Court also reserves jurisdiction to assess attorney's fees and costs, if applicable, upon proper motion and hearing.

DONE and ORDERED in Chambers at Miami-Dade County, Florida on this 5th day of March, 2020.


2018-018704-CA-01 03-05-2020 2:34 PM

2018-018704-CA-01 03-05-2020 2:34 PM

Hon. Alexander Bokor

CIRCUIT COURT JUDGE

Electronically Signed

Final Order as to All Parties SRS #: 12 (Other)

THE COURT DISMISSES THIS CASE AGAINST ANY PARTY NOT LISTED IN THIS FINAL ORDER OR PREVIOUS ORDER(S). THIS CASE IS CLOSED AS TO ALL PARTIES.

Electronically Served:

Jarret Ian Berfond, FLeFileTeam@brockandscott.com

Jarret Ian Berfond, FLCourtDocs@brockandscott.com

Jarret Ian Berfond, CourtXpress@firmsolutions.us

Jason J Ricardo, service@ricardolaw.com

Jason J Ricardo, kim@ricardolaw.com

Jessica J Fagen, FLeFileTeam@brockandscott.com

Jessica J Fagen, FLCourtDocs@brockandscott.com

Jessica J Fagen, CourtXpress@firmsolutions.us

Physically Served:

EXHIBIT B

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2018-018704-CA-01

SECTION: CA13

JUDGE: Tanya Brinkley

Deutsche Bank National Trust Company

Plaintiff(s)

vs.

Ariana Birencwajg et al

Defendant(s)

**ORDER DISMISSING CASE WITHOUT PREJUDICE, CANCELLING NOTICE OF LIS
PENDENS, DIRECTING CLERK TO RETURN ORIGINAL LOAN DOCUMENTS AND
TO SUBSTITUTE PHOTOSTATIC COPIES IN THE COURT FILE**

THIS CAUSE came before the Court on Plaintiff's Motion for Order Dismissing Case Without Prejudice, Cancelling Notice of Lis Pendens, Directing the Clerk of Court to Return Original Loan Documents and to Substitute Photostatic Copies in the Court File, (the "Motion") and the Court having reviewed the file and otherwise duly advised in the premises, finds that the Motion should be granted. It is, accordingly, **ORDERED AND ADJUDGED** that:

1. The above-styled case and the causes of action set forth therein are hereby dismissed without prejudice.
2. The Notice of Lis Pendens filed by Plaintiff and recorded on June 13, 2018 in OR Book 31013 at Page 229 of the Public records of Miami-Dade County, Florida regarding the below-described property:

TAX ID: 02-3222-022-1000

LOT 21, BLOCK 27, LAKE VIEW SUBDIVISION, ACCORDING TO
MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 14,

AGE 42 O THE PUB IC RECORDS O MIAMI-DADE COUNTY,
FLORIDA.

is hereby canceled, vacated, discharged and shall be of no further force or effect.

3. The Clerk of Court is directed to return the original note and mortgage to Plaintiff, c/o Brock & Scott, PLLC, at the following address: Brock & Scott, PLLC, 4919 Memorial Hwy, Suite 135, Tampa, FL 33634; and to substitute photostatic copies of the same in the Court file.

4. Pursuant to Fla. R. Civ. P. 1.420(f), the Clerk of Court is directed to record a copy of this Order in the Public Records.

DONE and **ORDERED** in Chambers at Miami-Dade County, Florida on this 3rd day of December, 2024.

2018-018704-CA-01 12-03-2024 4:59 PM


2018-018704-CA-01 12-03-2024 4:59 PM

Hon. Tanya Brinkley

CIRCUIT COURT JUDGE

Electronically Signed

Final Order as to All Parties SRS #: 12 (Other)

THE COURT DISMISSES THIS CASE AGAINST ANY PARTY NOT LISTED IN THIS FINAL ORDER OR PREVIOUS ORDER(S). THIS CASE IS CLOSED AS TO ALL PARTIES.

Electronically Served:

Amanda Griffin Driscole, FLeFileTeam@brockandscott.com

Amanda Griffin Driscole, FLCourtDocs@brockandscott.com

Amanda Griffin Driscole, ECCM-FL@provana.com

Andres H. Lopez, eservice@alopezlawfirm.com

Andres H. Lopez, alivingston@alopezlawfirm.com

Andres H. Lopez, andres@alopezlawfirm.com

Ariana Birencwajg, service@ricardolaw.com

Francis Jonathan Mota, fmota@aijustice.org

Jarret Ian Berfond, berfondj@aol.com

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Karen Green, CourtXpress@firmsolutions.us
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Kenneth Manuel Damas, ken@damaslaw.com
Kenneth Manuel Damas, service@damaslaw.com
Mario Maribal, service@ricardolaw.com
Mario Mirabal, solphax@gmail.com
Matthew Marks, FLeFileTeam@brockandscott.com
Matthew Marks, FLCourtDocs@brockandscott.com
Matthew Marks, ECCM-FL@provana.com
Michael A Frank, mfrank@bkclawmiami.com
Michael A Frank, mail@bkclawmiami.com
Shaib Y Rios, shaib@syrios-law.com

Physically Served:

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

Deutsche Bank National Trust Company as Trustee
for IndyMac INDX Mortgage Loan Trust 2007-
AR5, Mortgage Pass-Through Certificates Series
2007-AR5,

GENERAL JURISDICTION DIVISION

Case No. 2018-018704-CA

Plaintiff,

vs.

Ariana Birencwajg; et al.,

Defendants.

**MOTION FOR ORDER DISMISSING CASE WITHOUT PREJUDICE, CANCELLING
NOTICE OF LIS PENDENS, DIRECTING CLERK TO RETURN ORIGINAL LOAN
DOCUMENTS AND TO SUBSTITUTE PHOTOSTATIC COPIES IN THE COURT FILE**

COMES NOW, Deutsche Bank National Trust Company as Trustee for IndyMac INDX Mortgage Loan Trust 2007 AR5, Mortgage Pass-Through Certificates Series 07-AR5, (“Plaintiff”), by and through the undersigned counsel and pursuant to Fla. Civ. P.1.420(a)(2), and files this Motion for Order Dismissing Case Without Prejudice, Cancelling Notice of Lis Pendens, Directing the Clerk of Court to Return Original Loan Documents and to Substitute Photostatic Copies in the Court File, (the “Motion”), and in support thereof states as follows:

1. Pursuant to Fla. R. Civ. P. 1.420(a)(2), Plaintiff respectfully requests that this Honorable Court enter an Order dismissing the above-styled case without prejudice as the loan was paid in full.

2. Plaintiff also requests that the Notice of Lis Pendens previously filed by Plaintiff and recorded on June 13, 2018 in OR Book 31013 at Page 9 of the Public records of Miami-Dade County, Florida regarding the below-described property:

TAX ID: 02-3222-022-1

LOT 21, BLOCK 27, LAKE VIEW SUBDIVISION, ACCORDING TO MAP
OR PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGE 42 OF THE
PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



be canceled, vacated, discharged and be of no further force or effect.

3. Plaintiff also requests the entry of an Order Directing the Clerk of Court to: (i) return the original note and mortgage to Plaintiff, c/o the undersigned counsel at the following address: Brock & Scott, PLLC, 4919 Memorial Hwy, Suite 135, Tampa, FL 33634; and, (ii) to substitute photostatic copies of the same in the Court file.

4. Plaintiff requests, pursuant to Fla. R. Civ. P. 1.420(f), that the Clerk of Court be directed to record the Order granting this Motion in the Public Records.

WHEREFORE, Plaintiff, respectfully requests that this Honorable Court enter an Order: (a) granting the Motion; (b) dismissing the above-styled case without prejudice; (c) cancelling the Notice of Lis Pendens; (d) directing the Clerk of Court to return the original note and mortgage to Plaintiff c/o the undersigned law firm and substituting photostatic copies in the Court file; (e) directing the Clerk of Court to record the Order granting this Motion in Public Records pursuant to Fla. R. Civ. P. 1.420(f); and, (f) granting any and all such other and further relief as this Court deems just and proper.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy hereof was served electronically or via U.S. Mail on this 3rd day of December, 2024 to all persons on the following service list.

Respectfully submitted,

BROCK & SCOTT, PLLC
Attorney for Plaintiff
3825 Forrestgate Drive
Winston Salem, NC 27103
Phone: (954) 618-6955
Fax: (954) 618-6954
FLCourtDocs@brockandscott.com

By /s/ Matthew Marks
Matthew Marks, Esq.
Florida Bar No. 524336

SERVICE LIST

The following persons were served by e-mail:

Mario Mirabal
c/o Andres H. Lopez, Esq.
7351 Wiles Rd., Ste 101
Coral Springs, FL 33067
eservice@alopezlawfirm.com

Kenneth M. Damas, Esq.
1000 Brickell Avenue, Suite 720
Miami, FL 33131
Ken@damaslaw.com; ken@acdfirm.com; service@acdfirm.com

The following persons were served by U.S. mail:

Mortgage Electronic Registration Systems, Inc., as nominee for Aegis Funding d/b/a Aegis Home Equity
c/o CT Corporation System, Registered Agent
1200 South Pine Island Road
Plantation, FL 33324

Citibank, N.A.
c/o President, Vice President Or Any Other Officer Authorized To Accept Service
701 East 60th St. N.
Sioux Falls, SD 57104

State of Florida, Department of Revenue
c/o Executive Director, a registered agent or any other person authorized to accept service of process
2450 Shumard Oak Blvd
Tallahassee, FL 32399

Ariana Birencwajg
563 West 49th Street
Miami Beach, FL 33140

EXHIBIT C

This instrument prepared by:
Amarilis Adorno Esq.
Law Offices of Adorno-Cunill
1000 Brickell Avenue
Suite 1100
Miami, FL 33131
File#2022-976B

CFN: 20240890446 BOOK 34509 PAGE 3025
DATE:11/25/2024 02:41:53 PM
DEED DOC 7,800.00
JUAN FERNANDEZ-BARQUIN
CLERK OF THE COURT & COMPTROLLER
MIAMI-DADE COUNTY, FL

WARRANTY DEED

This Warranty Deed Made this 13 day of Nov, 2024 between **James M. Schiff, As Special Magistrate for Mario Mirabal, a Single Man Under Case Number 2022-004706-CA-01 in The Circuit Court of The 11th Judicial Circuit In And For Miami-Dade County, Florida**, hereinafter called the grantor, whose post office address is 9130 S Dadeland Blvd Ste 2000, Miami FL 33156 and **KP INVESTMENTS MIAMI LLC, A Florida Limited Liability Company**, whose post office address is 1430 Lincoln Terrace Apt #2, Miami Beach FL 33139 hereinafter called the grantee, WITNESSETH: That said grantor, for and in consideration of the sum of \$10.00 Dollars, and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situated in **Miami-Dade County, Florida**:

Lot 21, Block 27, Lake View Subdivision, according to map or plat thereof as recorded in Plat Book 14, Page 42 of the Public Records of Miami-Dade County, Florida.

A/K/A 563 W. 49 Street, Miami Beach, FL 33140

FOLIO: 02-3222-022-1000

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to 12/31/2024.

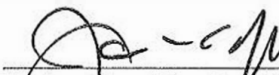
(The terms "grantor" and "grantee" herein shall be construed to include all genders and singular or plural as the context indicates)

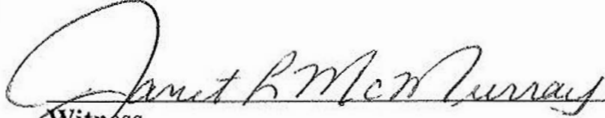
IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, Sealed and Delivered in Our Presence as to:


 Witness
 Printed Name: REINA DIAZ
 Address: 10818 SW 72 Street, Unit 152
MIAMI, FL 33173

James M. Schiff, As Special Magistrate
 for Mario Mirabal


 Under Case Number 2022-004706-CA-01 in The Circuit Court of The 11th Judicial Circuit In And For Miami-Dade County, Florida


 Witness
 Printed Name: Janet L. McMurray
 Address: 7713 N. Kendall Dr., A214
Miami, FL 33156

STATE OF FLORIDA
 COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 13 day of November, 2024 by James M. Schiff, James M. Schiff, As Special Magistrate for Mario Mirabal, a Single Man Under Case Number 2022-004706-CA-01 in The Circuit Court Of The 11th Judicial Circuit In And For Miami-Dade County, Florida ☒ Who is/are personally known to me or () who has/have produced _____ as identification.


 Notary Public
 My Commission Expires:
 Serial Number:

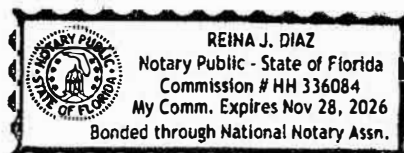


EXHIBIT D

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT

IN AND FOR MIAMI-DADE COUNTY, FLORIDA

CASE NO.: 2018-018704-CA-01

DEUTSCHE BANK NATIONAL TRUST COMPANY, Plaintiff,

v.

MARIO MIRABAL, Defendant.

NOTICE OF FILING LIS PENDENS

COMES NOW the Defendant, Mario Mirabal, pro se, and hereby gives notice that a Notice of Lis Pendens has been recorded in the Official Records of Miami-Dade County, concerning the following real property:

Property Address:

563 West 49th Street, Miami Beach, FL 33140

Legal Description:

LOT 21, BLOCK 27, LAKE VIEW SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGE 42, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

The recorded Lis Pendens is directly related to the relief sought in Defendant's 1.540(b) motion, challenging the foreclosure judgment and subsequent sale. It is filed in accordance with Section 48.23, Florida Statutes.

espectfull sub tted,

Mario Mirabal

Pro Se Defendant

563 w 49 st

Miami Beach FL 33140

solphax@gmail.com

786.479.6596

EXHIBIT E

DDIS
1-2

NFJA Indymac
Plaintiff,

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT, IN
AND FOR MIAMI-DADE COUNTY,
FLORIDA

CIVIL CIRCUIT DIVISION

vs. Birenswaig, Ariam
Defendant.

CASE NO.: 08-23324-CA01

Order Dismissing Case for Plaintiff's Non-appearance at Initial Case Management Conference

This case came before the Presiding Judge on 3-21-11 pursuant to an Order Setting Initial Case Management Conference, which requires the parties to attend the Case Management Conference.

/ The Plaintiff failed to appear without explanation.
Therefore, this case is dismissed without prejudice.

Done and Ordered at Miami, Miami-Dade County, Florida, this 21st of March 2011.

4


Presiding Judge

RECEIVED
SILVER
FOR JUDGE

cc: Service List

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Eleventh Judicial Circuit Court's ADA Coordinator, Lawson E. Thomas Courthouse Center, 175 NW 1st Ave., Suite 2702, Miami, FL 33128, Telephone (305) 349-7175; TDD (305) 349-7174 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

Form Order _____
FCCorderdismissingfornonappearance

NO FURTHER JUDICIAL ACTION IS REQUIRED
THIS CASE IS CLOSED

EXHIBIT F

IN THE CIRCUIT COURT OF THE
11TH JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

CIRCUIT CIVIL DIVISION

CASE NO: 2013-2778

Deutsche Bank

Plaintiff(s),

vs.

Mario Mirabal

Defendant(s),

FILED FOR RECORD

2017 MAY 30 PM 2:13

HARVEY RUVIN
CLERK, CIRCUIT & COUNTY CLERK
MIAMI-DADE COUNTY, FLA.
CIVIL DIVISION

ORDER
GRANTING/DENYING
PLAINTIFF'S/DEFENDANT'S

THIS CAUSE having come on to be heard on
on Plaintiff's/Defendant's Motion

Trial

May 30th, 2017

and the Court having heard arguments of counsel, and being otherwise advised in the premises, it is hereupon

ORDERED AND ADJUDGED that said Motion be, and the same is hereby

Case is hereby dismissed without prejudice
his Pendency is hereby released
Each Party to bear its/his own attorneys' Fees

DONE AND ORDERED in Chambers at Miami-Dade County, Florida this 30th

day of

May 2017

FINAL ORDERS AS TO ALL PARTIES
SRS DISPOSITION
NUMBER 012
THE COURT DISMISSES THIS CASE AGAINST
ANY PARTY NOT LISTED IN THIS FINAL ORDER
OR PREVIOUS ORDER(S). THIS CASE IS CLOSED
AS TO ALL PARTIES.
Judge's Initials: WJ
Copies furnished to: Counsel of Record

CIRCUIT COURT JUDGE

William Thomas
Circuit Court Judge